

KEVIN G. HORBATIUK (KGH-4977)  
MATTHEW P. MAZZOLA (MM-7427)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

**21 MC 103 (AKH)**

-----X  
**HAROLD RAMIREZ (AND WIFE, NOVO THOMAS),**

**DOCKET NO:  
08 CV 2304**

**Plaintiffs,**

**-against-**

**7 WORLD TRADE COMPANY, L.P., A RUSSO  
WRECKING, INC., ABM INDUSTRIES INC.,  
ABM JANITORIAL NORTHEAST, INC., AMEC  
MANAGEMENT, INC., AMEC EARTH  
ENVIRONMENTAL, INC., ANTHONY CORTESE  
SPECIALIZED HAULING LLC., ATLANTIC  
HEYDT CORP., BECHTEL ASSOCIATES PROFESSIONAL  
CORPORATION; BECHTEL CONSTRUCTION, INC.,  
BECHTEL CORPORATION; BECHTEL  
ENVIRONMENTAL INC., BERKEL & COMPANY,  
CONTRACTORS, INC., BIG APPLE WRECKING &  
CONSTRUCTION CORP., BOVIS LEND LEASE LMB,  
INC., BREEZE CARTING CORP., BREEZE NATIONAL  
INC., BRER-FOUR TRANSPORTATION CORP., BURO  
HAPPOLD CONSULTING ENGINEERS, P.C., C.B.  
CONTRACTING CORP., CANRON CONSTRUCTION CORP.,  
CORD CONTRACTING CO., INC., DAKOTA DEMO TECH;  
DIAMOND POINT EXCAVATING CORP., DIEGO  
CONSTRUCTION, INC., DIVERSIFIED CARTING, INC.,  
DMT ENTERPRISE, INC., D'ONOFRIO GENERAL  
CONTRACTORS CORP., EAGLE LEASING &  
INDUSTRIAL SUPPLY INC., EAGLE ONE ROOFING**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

CONTRACTORS, INC., ED DAVIES, INC., EN-TECH CORP., EVERGREEN RECYCLING OF CORONA (EROC) EWELL W. FINLEY, P.C., EXECUTIVE MEDICAL SERVICES, P.C, FLEET TRUCKING, INC., FRANCIS A. LEE EXTERIOR RESTORATION; INC., FTI TRUCKING, INC., GILSANZ, MURRAY & STEFICEK LLP., GOLDSTEIN KOCH SKANSKA INC., LAQUILA CONSTRUCTION INC., LASTRADA GENERAL GENERAL CONTRACTING CORP., LESLIE E. ROBERTSON ASSOCIATES CONSULTING ENGINEERS, P.C., LIBERTY MUTUAL GROUP; LOCKWOOD, KESSLER & BARTLESS, INC. LUCIUS PITKIN, INC., LZA TECH-DIV OF THORTON TOMASTEEL, MANAFORT BROTHERS MERIDIAN CONSTRUCTION CORP., MAZZOCCHI WRECKING INC., HUDSON MERIDIAN CONSTRUCTION GROUP; LLC F/K/A MERIDIAN CONSTRUCTION CORP., MORETRENCH AMERICAN CORP., MRA ENGINEERING, P.C., MUESER EQUIPMENT CORP., NICHOLSON CONSTRUCTION COMPANY; PETER SCALAMANDRE & SONS, INC., INNACLE ENVIRONMENTAL CORP., PLAZA CONSTRUCTION CORP., PORT AUTHORITY OF NEW YORK AND NEW JERSEY; PRO SAFETY SERVICES, INC., PT&L CONTRACTING CORP., ROBER SILMAN ASSOCIATES, ROBERT L. GEROSA INC., RODAR ENTERPRISES, INC., ROYAL GM, INC., SAB TRUCKING INC., SAFEWAY ENVIRONMENTAL CORP., SEASONS INDUSTRIAL CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING CORP., SILVERTIS SURVIVARIS TISHMAN CONSTRUCTION CORPORATION OF MANHATTAN; TISHMAN CONSTRUCTION CORPORATION OF NEW YORK; TISHMAN INTERIORS CORPORATION; TISHMAN SPEYER PROPERTIES; EQUIPMENT RENTAL CORP., TULLY CONSTRUCTION CO., INC., TURNER CONSTRUCTION COMPANY; ULTIMATE DEMOLITION CS HAULING (JOINT VENTURE); VERIZON NEW YORK, INC., VOLLMER ASSOCIATES LLP WEEKS MARINE INC., WEIDLINGER ASSOCIATES, CONSULTING ENGINEERS, P.C., WHITNEY CONTRACTING INC., WOLK-BRAKER ROOKING CORP., WORLD TRADE CENTER PROPERTIES, LLC., WSP CANTOR

**SEINUK, YANUZZI & SONS, INC., YONKERS  
CONTRACTING COMPANY, INC., YORK  
HUNTER CONSTRUCTION, LLC., ZIEGENFUSS  
DRILLING, INC.,**

**OFF SITE:**

**100 CHURCH, LLC, ALAN KASMAN DBA  
KASCO, AMBIENT GROUP, INC.,  
ANN TAYLOR STORES CORPORATION,  
BANKERS TRUST COMPANY, BATTERY  
PARK CITY AUTHORITY, BLACKON-  
MOORING STEAMATIC CATASTOPHE,  
INC., DBA BMS CAT, BROOKFIELD  
FINANCIAL PROPERTIES, INC., BROOKFIELD  
FINANCIAL PROPERTIES, LP., BROOKFIELD  
PARTNERS, LP., BROOKFIELD PROPERTIES  
CORPORATION, BROOKFIELD PROPERTIES  
HOLDING INC., BT PRIVATE CLIENTS CORP.,  
CUNNINGHAM DUCT CLEANING CO.,  
DEUTSCHE BANK TRUST COMPANY,  
DEUTSCHE BANK TRUST COMPANY AMERICAS,  
DEUTSCHE BANK TRUST CORPORATION,  
ENIROTECH CLEAN AIR., GPS ENVIRONMENTAL  
CONSULTANTS, INC., INDOOR ENVIRONMENTAL  
TECHNOLOGY, INC., KASCO RESTORATION  
SERVICES CO., LAW ENGINEERING, P.C., MERRILL  
LYNCH & CO., NOMURA HOLDING AMERICA, INC.,  
NOMURA SECURITIES INTERNATIONAL, INC.,  
ROYAL AND SUNALLIANCE INSURANCE GROUP,  
PLC., STRUCTURE TONER (UK), INC.,  
STRUCTURE TONE GLOBAL SERVICES, INC.,  
THE BANK OF NEW YORK TRUST COMANY, NA  
TISHMAN INTERIORS CORPORATION, TOSCORP.,  
INC., TRC ENGINEERS, INC., TULLY CONSTRUCTION  
CO., INC., TULLY INDUSTRIES, INC., WESTON  
SOLUTIONS, INC., WFP TOWER B CO., G.P.,  
CORP., WFP TOWER B HOLDING CO., LP., WFP TOWER  
B CO., L.P., WFP TOWER D CO., G.P., CORP., WFP  
TOWER D HOLDING CO. I L.P., WFP TOWER D HOLDING  
CO., II LP., WFP TOWER D HOLDING I. G.P., WFP TOWER  
D CO., L.P., and ZAR REALTY  
MANAGEMENT CORP., et al.**

**Defendants.**

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**PLEASE TAKE NOTICE**, that defendant **CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC.** ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
May 5, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Matthew P. Mazzola (MM7427)  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a  
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INC.**  
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(212) 482-0001  
RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiffs  
**HAROLD RAMIREZ (AND WIFE, NOVO THOMAS)**  
115 Broadway 12th Floor  
New York, New York 10006  
(212) 267-3700

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 5<sup>th</sup> day of May, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiffs  
**HAROLD RAMIREZ and NOVOA THOMAS**  
115 Broadway 12th Floor  
New York, New York 10006

A handwritten signature in cursive script, reading "Kevin G. Horbatiuk".

**KEVIN G. HORBATIUK**